

HOUSE BILL 2765

By Coleman

AN ACT to amend Tennessee Code Annotated, Title 55,
relative to offenses involving motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403(a)(1)(B), is amended by deleting subdivisions (ii) and (iii) and substituting instead the following:

(ii) Notwithstanding subdivision (a)(1)(A), if, at the time of the offense, the person was accompanied by a child under eighteen (18) years of age, and such child suffers serious bodily injury as the proximate result of the violation of § 55-10-401, the person commits a Class D felony and shall be punished as provided in § 39-13-106, for vehicular assault.

(iii) Notwithstanding subdivision (a)(1)(A), if, at the time of the offense, the person was accompanied by a child under eighteen (18) years of age, and such child is killed as the proximate result of the violation of § 55-10-401, the person commits a Class B felony and shall be punished as provided in § 39-13-213(b)(2) for vehicular homicide involving intoxication.

SECTION 2. This act shall take effect January 1, 2009, the public welfare requiring it.